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DEC 13 2004

OFFICE OF PETITIONS

In re Application of :
Leonard and Taylor :
Application No. 10/706,792 : DECISION ACCORDING STATUS
Filed: 12 November, 2003 : UNDER 37 CFR 1.47(a)
Atty. Docket No. 4774-111 US :

This is in response to the renewed petition filed under 37 CFR 1.47(a) on 21 October, 2004.

The petition is **GRANTED**.

The above-identified application was filed on 12 November, 2003, without an executed oath or declaration. Accordingly, on 23 February, 2003, Initial Patent Examination Division mailed a Notice to File Missing Parts of Nonprovisional Application, requiring an executed oath or declaration and a surcharge for its late filing as well as replacement drawings in compliance with 37 CFR 1.84 and 1.121. The petition filed on 22 July, 2004, was dismissed on 24 August, 2004.

Petitioners have shown that a copy of the application papers was sent to the last known address of the non-signing inventor, Todd Leonard. The non-signing inventor, however, has failed to sign and return the declaration naming him as a joint inventor along with Maurice R. Taylor..

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the declaration. Notice of the filing of this application will also be published in the *Official Gazette*.

The \$130.00 fee paid with the present request for reconsideration is unnecessary and will be credited to counsel's deposit account, No. 13-2165.

After this decision is mailed, the application will be referred to Technology Center Art Unit 3763 for examination in due course.

Telephone inquiries related to this decision should be directed to the undersigned at 571-272-3231.



Douglas I. Wood
Senior Petitions Attorney
Office of Petitions